

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. It is believed that no new matter is added to the application by this Amendment. Basis for the amendments to the claims is found, for example, on page 6 of the originally filed specification, in the first full paragraph, lines 12-14.

Status Of The Claims

Claims 1, 10, 11 and 21 have been amended. No new matter has been added. Claims 3-5, 12, 13, 19, 20, 22 and 23 have been canceled without prejudice or disclaimer. Accordingly, claims 1, 2, 6-11, 14-18, 21 and 24 are pending in this application.

Withdrawal of Holding of Abandonment

The Office Action, dated April 13, 2009, held this Application to be abandoned because: "BPAI Decision: AFFIRMED."

Applicants respectfully disagree with this conclusion because this Application has continued in a pending status since the Board Decision dated February 25, 2009 based on the provision of 37 CFR §1.304(a)(ii), which provides that the time for taking an appeal from a decision of the Board expires two months from the date of that decision. Two months from the date of the Board decision falls on Saturday, April 25, 2009, which was extended by operation of 35 USC 1.21(b) to Monday, April 27, 2009. Because this Amendment and RCE are being filed on Monday, April 27, 2009, the Application has remained in a pending status and did not go abandoned.

Accordingly, reconsideration and withdrawal of the holding of Abandonment are respectfully requested.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-4, 6-9, 11, 14-21, 23, 24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Shinji, U.S. Patent No. 6,259,854 (hereinafter "Shinji"). Claim 10 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Funamoto, European Patent Publication No. 0 878 720 (hereinafter "Funamoto"). Complete discussion of the Examiner's rejections is set forth in the Office Action, and is not being repeated here. These rejections are respectfully traversed.

The rejections of claims 1-4, 6-9, 11, 14-21, 23, 24 under 35 U.S.C. § 102(e) as being anticipated by Shinji are respectfully traversed and reconsideration is requested.

Claim 1, as amended, is allowable over the cited reference in that claim 1 recites a combination of features including, for example, "... wherein a size of the plurality of convex portions increases with increasing distance from the light source." The cited reference does not teach or suggest this combination of features of the claimed invention. Accordingly, Applicant respectfully submits that claim 1 and claims 2 and 6-9, which depend therefrom, are allowable over the cited reference.

Claim 11, as amended, is allowable over the cited reference in that claim 1 recites a combination of features including, for example, "... wherein a size of the plurality of convex portions increases with increasing distance from the light source." The cited reference does not teach or suggest this combination of features of the claimed invention. Accordingly, Applicant

respectfully submits that claim 11 and claims 14-18, which depend therefrom, are allowable over the cited reference.

Claim 21, as amended, is allowable over the cited reference in that claim 1 recites a combination of features including, for example, "... wherein a size of the plurality of portions increases with increasing distance from the light source." The cited reference does not teach or suggest this combination of features of the claimed invention. Accordingly, Applicant respectfully submits that claim 21 and claim 24, which depend therefrom, are allowable over the cited reference.

The rejection of claim 10 under 35 U.S.C. § 102(b) as being anticipated by Funamoto is respectfully traversed and reconsideration is requested.

Claim 10, as amended, is allowable over the cited reference in that claim 1 recites a combination of features including, for example, "... wherein a size of the plurality of convex portions increases with increasing distance from the light source; and" The cited reference does not teach or suggest this combination of features of the claimed invention. Accordingly, Applicant respectfully submits that claim 10 is allowable over the cited reference.

Therefore, Applicant believes the foregoing remarks place the application in condition for allowance and early, favorable action is respectfully solicited.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn, and that the holding of abandonment be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the application is in condition for allowance.

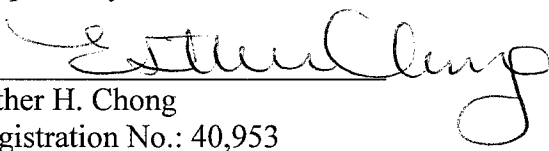
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Robert J. Webster, Registration No.46,472, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 
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